

AMENDED IN SENATE DECEMBER 17, 2009

AMENDED IN SENATE MAY 19, 2009

AMENDED IN SENATE MAY 14, 2009

SENATE BILL

No. 677

Introduced by Senator Yee

February 27, 2009

~~An act to add and repeal Section 3352.1 of the Labor Code, relating to workers' compensation. An act to add Section 236.3 to the Penal Code, relating to human trafficking.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 677, as amended, Yee. ~~Workers' compensation: exclusions: farming operations. Human trafficking: property: seizure.~~

Existing law defines human trafficking as the deprivation or violation of the personal liberty of another person with the intent to commit certain specified sex offenses with the person or to obtain forced labor or services, as specified.

This bill would authorize real property used to facilitate the commission of that offense to be declared and treated as a nuisance, as specified

~~Existing workers' compensation law generally requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their employees that arise out of, and in the course of, employment. Existing law requires employers to secure this payment either by being insured by one or more insurers duly authorized to write compensation insurance in this state or by securing from the Director of Industrial Relations a certificate of consent to~~

self-insure. Existing law excludes various persons from the definition of employee for purposes of these provisions:

~~This bill would, until January 1, 2013, exclude any person employed by his or her parent, child, spouse, or registered domestic partner, or by the spouse or registered domestic partner of his or her parent or child, in a farming operation that is registered with the director or the director's designee and meets certain specified conditions. The bill would require the owner or owners of the farming operation to submit specified information when registering with the director or the director's designee. The bill would provide that this information shall become public record, except as specified. The bill would, however, authorize not more than 3,000 registrations within a calendar year under these provisions and would provide that registration shall be in effect for one year, except as specified.~~

~~This bill would provide that if any of the conditions of registration are violated, the farming operation shall be deemed to have failed to secure the payment of compensation and shall be subject to the resulting penalties. The bill would also provide that a violation of the conditions shall constitute good cause for the director or the director's designee to cancel the farming operation's registration.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 236.3 is added to the Penal Code, to read:
2 236.3. Upon conviction of a violation of Section 236.1, when
3 real property is used to facilitate the commission of the offense,
4 the procedures for determining whether the property constitutes
5 a nuisance and the remedies imposed therefor as provided in
6 Article 2 (commencing with Section 11225) of Chapter 3 of Title
7 1 of Part 4 shall apply.

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**All matter omitted in this version of the bill
appears in the bill as amended in the
Senate, May 19, 2009. (JR11)**

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